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CALIFORNIA CODE OF REGULATIONS

TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS

Division 25. Board of Vocational Nursing and Psychiatric Technicians of the State of California (Originally Printed 7-12-52)

Chapter 1. Vocational Nurses

Article 1. General Provisions

2500. Location of Offices.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2853, Business and Professions Code.

HISTORY:

1. Chapter 25 (# 2500 through 2558) filed 7-8-52; effective thirtieth day thereafter (Register 29, No. 2).
2. Amendment filed 12-10-64; effective thirtieth day thereafter (Register 64, No. 24).
3. Amendment filed 7-20-71; effective thirtieth day thereafter (Register 71, No. 30).
4. Repealer filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2501. Tenses, Gender, and Number.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2854, Business and Professions Code.

HISTORY:

1. Repealer filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2502. Definitions.

As used in this chapter, unless the context otherwise requires:

- (a) "Board" means the Board of Vocational Nursing and Psychiatric Technicians of the State of California;
- (b) "Code" means the Business and Professions Code;
- (c) "Accredited school of vocational nursing," "accredited school," and "school" mean a school of vocational nursing which has been accredited by the Board pursuant to Sections 2880-2884 of the Code (the Vocational Nursing Practice Act), and whose graduates, if otherwise qualified, are eligible to apply for a license to practice vocational nursing.
- (d) "Approved equivalency school" and "approved equivalency program" mean a course in vocational nursing approved by the Board pursuant to Section 2516(c) of this Chapter, and whose graduates, if otherwise qualified, are eligible to apply for a license to practice vocational nursing.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2841, 2873 and 2881, Business and Professions Code.

HISTORY:

1. Amendment of subsection (a) filed 7-20-71; effective thirtieth day thereafter (Register 71, No. 30).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
3. Editorial correction of subsection (d) (Register 84, No. 2).
4. Amendment filed 1-14-98; effective thirtieth day thereafter (Register 98, No. 3).

2503. Delegation of Certain Functions.

The power and discretion conferred by law upon the Board to receive and file accusations; issue notices of hearings, statements to respondent and statements of issues; receive and file notices of defense; determine the time and place of hearings under Section 11508 of the Government Code; issue subpoenas and subpoenas duces tecum; set calendar cases for hearing and perform other functions necessary to the businesslike dispatch of the business of the

Board in connection with proceedings under the provisions of Sections 11500 through 11528 of the Government Code, prior to the hearing of such proceedings; and the certification and delivery or mailing of copies of decisions under Section 11518 of said code are hereby delegated to and conferred upon the executive officer, or, in the absence of the executive officer from the office of the Board, the assistant executive officer.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2847, Business and Professions Code.

HISTORY:

1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d)(Register 83, No. 47).
2. Editorial correction (Register 84, No. 2).

2504. Filing of Addresses.

All persons holding a license from the Board shall file their current mailing address with the Board at its office in Sacramento, and shall immediately notify the Board of any and all changes of mailing address, within 30 days after the change, giving both their old and new addresses and license number.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892, Business and Professions Code.

HISTORY:

1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
2. Amendment filed 1-14-98; effective thirtieth day thereafter (Register 98, No. 3).

Article 2. Application for License

2506. Form.

Applications for license shall be made upon the form prescribed and provided by the Board, accompanied by such evidence, statements, or documents as therein required.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2866, Business and Professions Code.

HISTORY:

1. Renumbering from Section 2510 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
2. Editorial correction (Register 84, No. 2).

2507. Place of Filing.

Applications for licensure shall be filed with the Board's principal office in Sacramento.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2853, Business and Professions Code.

HISTORY:

1. Renumbering from Section 2511 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
3. Editorial correction (Register 84, No. 2).

2508. Permit Processing Times.

"Permit" as defined by the Permit Reform Act of 1981 means any license, certificate registration, permit or any other form of authorization required by a state agency to engage in a particular activity or act. Processing times for the board's various permits are set forth below. The actual processing times apply to those persons who apply by the specified filing deadlines (if applicable) and who take and pass the first available examination.

<i>Permit</i>	<i>Maximum period of time in which the Board will notify applicant in writing that the application is complete and accepted for filing or that the application is deficient and what specific information is required.</i>	<i>Maximum period of time after the filing of a complete application in which the Board will notify applicant of a permit decision.</i>	<i>Actual Processing Time Based on Prior Two Years</i> <i>Minimum Median Maximum</i>		
Initial License	90 days	365 days	127	183	387 days
Interim Permit	30 days	60 days	3	10	22 days
Temporary License	30 days	30 days	1	15	30 days
Intravenous Therapy (IV), Blood Withdrawal (BW) and IV/BW Certificate	30 days	30 days	1	15	30 days
Continuing Education (CE) Providers	30 days	30 days	1	15	30 days
Renewals – CE Providers	30 days	30 days	1	15	30 days
Renewals – License	60 days	90 days	10	51	94 days

NOTE: Authority cited: Section 2854, Business & Professions Code and Section 15376, Government Code. Reference: Sections 15375 and 15376, Government Code.

HISTORY:

1. New section filed 5-03-91; operative 6-02-91 (Register 91, No. 24).

Article 3. Examinations

2510. Scope of Examinations.

The examination for licensure as a licensed vocational nurse shall be the NCLEX-PN examination of the National Council of State Boards of Nursing, Inc.

NOTE: Authority cited: Sections 851 and 2854, Business and Professions Code. Reference: Section 2870, Business and Professions Code.

HISTORY:

1. Renumbering from Section 2520 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
3. Amendment filed 2-3-87; effective thirtieth day thereafter (Register 87, No. 6).

2511. Failure to Take Assigned Examination.

An applicant who fails to take an assigned examination shall be removed from the eligible list of applicants. To be scheduled for a subsequent examination, the applicant shall notify the Board and shall pay the fees prescribed by Section 2895 of the code.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2868, 2869, 2871 and 2895, Business and Professions Code.

HISTORY:

1. New section filed 7-25-60; effective thirtieth day thereafter (Register 60, No. 16).
2. Renumbering from Section 2520.1 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
4. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2512. Abandonment of Application.

(a) An application shall be deemed to have been abandoned and the application fee forfeited when:

- (1) The applicant fails to complete the application within the two years after it is originally submitted or within two years after last notification of deficiency.
- (2) The applicant fails to submit the initial license fee within two years after notification by the Board.
- (3) The applicant fails to take the licensing examination within two years after the first assigned date or within two years after last failing the examination.

(b) An application submitted subsequent to the abandonment of a former application shall be treated as a new application.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2867 and 2867.5, Business and Professions Code.

HISTORY:

1. New section filed 9-11-70; effective thirtieth day thereafter (Register 70, No. 37).
2. Renumbering from Section 2520.2 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment filed 9-27-79; effective thirtieth day thereafter (Register 79, No. 39).
4. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2513. Eligibility to Reapply for Licensure Examination After Third Examination Failure.

HISTORY:

1. New section filed 12-19-55; effective thirtieth day thereafter (Register 55, No. 18). For history of former section, see Register 54, No. 7.
2. Amendment filed 6-9-59; effective thirtieth day thereafter (Register 59, No. 9).
3. Amendment filed 12-6-66; effective thirtieth day thereafter (Register 66, No. 43).
4. Amendment and renumbering from Section 2521 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
5. Repealer filed 12-4-75; effective thirtieth day thereafter (Register 75, No. 49).

2514. Examination Procedure.

No one except as authorized by the Board shall solicit, accept, or compile information regarding the contents of written examination questions, either before, during, or after the administration of any examination.

(a) Applications and all required supporting documentation and fees must be received by the Board prior to the applicant being scheduled for examination.

(b) Vocational nursing programs shall file a transcript of record for each student who completes the course on a form provided by the Board.

(c) Schools shall submit in duplicate a list of all students whose applications for examination are submitted to the Board by the school.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2866, 2867, 2868, 2869 and 2873, Business and Professions Code.

HISTORY:

1. New section filed 7-31-74; effective thirtieth day thereafter (Register 74, No. 31).
2. Renumbering from Section 2522 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
4. Amendment filed 7-24-96; effective thirtieth day thereafter (Register 96, No. 30).

Article 4. Licenses

2516. Eligibility for Licensure.

Persons who desire to qualify for licensure under Section 2873 of the code must meet the requirements of one of the following:

(a) Completion of a course in vocational or practical nursing in a school accredited by another state, provided that the course completed is substantially equivalent to that prescribed by Section 2533 of this chapter; or,

(b) Completion of the following experience and pharmacology course:

(1) Completion within the 10 years prior to the date of application of not less than 51 months of paid general duty bedside nursing experience in a general acute care facility, at least half of which shall have been within five years prior to the date of application.

(A) Such experience shall be verified by the employer showing specific dates of employment.

(B) The 51 months experience prescribed above shall include a minimum of each of the following:

48 months medical-surgical nursing;

5 weeks maternity or genitourinary nursing;

5 weeks pediatrics nursing.

Experience in any of the following areas may be substituted for a maximum of 8 months of medical-surgical experience:

1. Communicable Disease Nursing

2. Public Health Nursing

3. Occupational Health Nursing

4. Office Nursing (M.D.)

5. Psychiatric Nursing

6. Operating Room Nursing

7. Skilled or Long Term Care Nursing

8. Private Duty Nursing

9. Emergency Room Nursing

10. Out Patient Clinic

11. Post Anesthesia Recovery Nursing

12. Hemodialysis Nursing

13. Rehabilitation Nursing

(C) Applicants with formal nursing education may submit official transcripts for evaluation of possible credit in lieu of paid bedside nursing experience.

(D) Applicants reapplying on the basis of experience acquired subsequent to the date of the original application shall show that the qualifying experience has been completed within 10 years prior to the date of reapplication and that at least half of such experience has been within five years prior to the date of reapplication.

(2) The applicant must submit proof of completion of a course of at least 54 theory hours of pharmacology. The course shall include but not be limited to:

(A) Knowledge of commonly used drugs and their action

(B) Computation of Dosages

(C) Preparation of Medications

(D) Principles of Administration

(3) Verification of work experience shall include certification from the R.N. director or supervisor that the applicant has satisfactorily demonstrated the following knowledge and skills:

(A) Basic Bedside Nursing

1. Ambulation techniques

2. Bedmaking

3. Catheter care

4. Collection of specimens

5. Diabetic urine testing

6. Administration of a cleansing enema

7. Feeding patient
8. Hot and cold applications
9. Intake and Output
10. Personal hygiene and comfort measures
11. Positioning and transfer
12. Range of motion
13. Skin care
14. Vital signs

(B) Infection control procedures (may be demonstrated in classroom, lab, and/or patient care settings.)

1. Asepsis
2. Techniques for strict, contact, respiratory, enteric, tuberculosis, drainage, universal and immunosuppressed patient isolation.

(c) Completion of the course described below and completion of 36 months of verified full-time paid work experience in nursing in a general acute care facility within the 10 years prior to the date of application for licensure provided that at least 12 months of the experience is acquired during the last 24 months prior to the date of application.

(1) Experience in any of the following areas may be substituted for a maximum of 8 months of medical-surgical nursing experience:

- (A) Communicable Disease Nursing
- (B) Public Health Nursing
- (C) Occupational Health Nursing
- (D) Office Nursing (M.D.)
- (E) Psychiatric Nursing
- (F) Operating Room Nursing
- (G) Maternity Nursing
- (H) Pediatric Nursing
- (I) Hemodialysis Nursing
- (J) Private Duty Nursing
- (K) Emergency Room Nursing
- (L) Skilled or Long Term Care Nursing
- (M) Post Anesthesia Recovery Nursing
- (N) Out-Patient Clinic Nursing
- (O) Rehabilitation Nursing

(2) The course prescribed above shall be a course approved by the Board providing theory and practice. Curriculum content shall be presented as specified in Section 2533(a), (b), (c), (e) and (f) of this Chapter. The faculty of such course shall meet the requirements of Section 2529. Facilities utilized for supervised clinical experience shall be approved as provided in Section 2534. The school shall meet the requirements specified in Section 2530. 450 hours of theory, which shall include a minimum of 54 hours in pharmacology, must be provided and must include the following subjects:

(A) Medical-Surgical Nursing. Medical-Surgical nursing shall include theory and clinical experience in the care of children and adults.

Anatomy and physiology, terminology, main causes of disease, diet and drug therapy.

(B) Maternity Nursing. Maternity nursing shall include theory and clinical experience in the care of mothers and newborn infants. This theory shall be planned to develop knowledge of the following:

Anatomy and physiology, the reproductive process, stages of pregnancy, labor and delivery and their common complications, normal development and common abnormalities of the infant, and diet.

(3) A minimum of 175 hours of supervised clinical experience shall be given which meets the individual learning needs of the student:

(A) For supervision of clinical experience, there shall be a minimum of one instructor for 15 vocational nurse students.

(B) Students shall be assigned to patient care areas for clinical experience and safely demonstrate competencies in performing basic nursing skills.

(4) A clinical instructor must certify the students' competency in the following nursing skills indicating ability to practice with safety to the patient:

(A) Basic Bedside Nursing

1. Ambulation techniques
2. Bedmaking
3. Catheter care
4. Collection of specimens
5. Diabetic urine testing
6. Administration of cleansing enema
7. Feeding patient
8. Hot and cold applications
9. Intake and output
10. Personal hygiene and comfort measures
11. Positioning and transfer
12. Range of motion
13. Skin care
14. Vital signs

(B) Infection control procedures (may be demonstrated in classroom lab, and/or patient care settings.)

1. Asepsis
2. Techniques for strict, contact, respiratory, enteric, tuberculosis, drainage, universal and immunosuppressed patient isolation.

(C) Medications

1. Knowledge of commonly used drugs and their action
2. Observation of patients for response and/or reaction
3. Preparation and administration of medications

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2873, Business and Professions Code.

HISTORY:

1. New subsection (d) filed 12-23-76; effective thirtieth day thereafter (Register 76, No. 52). For prior history, see Register 75, No. 36.
2. Amendment of subsection (b) filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
3. Amendment of subsection (c) filed 3-29-79; effective thirtieth day thereafter (Register 79, No. 13).
4. Amendment of subsection (d)(2) filed 2-18-81; effective thirtieth day thereafter (Register 81, No. 8).
5. Amendment of subsection (d) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
6. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
7. Amendment of subsection (b)(2) filed 4-8-86; effective thirtieth day thereafter (Register 86, No. 15).
8. Amendment filed 7-24-96; effective thirtieth day thereafter (Register 96, No. 30).
9. Amendment filed 11-20-97; effective thirtieth day thereafter (Register 97, No. 47).

2517. Eligibility for Licensure Without Examination.

An applicant shall be eligible for licensure without examination, pursuant to Section 2872.1 of the code, provided that the applicant:

(a) presents satisfactory proof of a current and valid license as a vocational nurse or practical nurse, or in an equivalent capacity, by another state, a territory of the United States, or a foreign country; and

(b) took the National League for Nursing State Board Test Pool Examination for Practical Nurses or the National Council Licensing Examination for Practical Nurses, and passed said examination with a score equal to or above the minimum passing score required by the Board for said examination.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2872.1, Business and Professions Code.

HISTORY:

1. Amendment of subsection (c) filed 7-29-76; effective thirtieth day thereafter (Register 76, No. 31). For prior history, see Register 75, No. 36.
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2518. Renewal of License, Eligibility to Qualify for Renewal After License Has Expired.

Any person who has been issued an equivalent license in another state during the period since the expiration of the nurse's license in California, or can otherwise establish to the satisfaction of the Board, that the nurse is qualified to engage in practice as a licensed vocational nurse, shall also be exempted from such examination requirements.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.4, Business and Professions Code.

HISTORY:

1. Renumbering from Section 2532 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36). For prior history see Register 61, No. 26.
2. Amendment filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
3. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2518.5 Scope of Vocational Nursing Practice

The licensed vocational nurse performs services requiring technical and manual skills which include the following:

(a) Uses and practices basic assessment (data collection), participates in planning, executes interventions in accordance with the care plan or treatment plan, and contributes to evaluation of individualized interventions related to the care plan or treatment plan.

(b) Provides direct patient/client care by which the licensee:

- (1) Performs basic nursing services as defined in subdivision (a);
- (2) Administers medications;
- (3) Applies communication skills for the purpose of patient/client care and education; and
- (4) Contributes to the development and implementation of a teaching plan related to self-care for the patient/client.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2859, 2860.5, 2860.7, 2878(a) and 2878.5, Business and Professions Code; and Section 11215, Health and Safety Code.

HISTORY:

1. New section filed 9-19-96; effective thirtieth day thereafter (Register 96, No. 38).

2518.6 Performance Standards

(a) A licensed vocational nurse shall safeguard patients'/clients' health and safety by actions which include but are not limited to the following:

- (1) Reporting to the Board unprofessional conduct as defined in Section 2878(a) of the Business and Professions Code;
- (2) Documenting patient/client care in accordance with standards of the profession; and
- (3) Performing services in accordance with Section 125.6 of the Business and Professions Code.

(b) A licensed vocational nurse shall adhere to standards of the profession and shall incorporate ethical and behavioral standards of professional practice which include but are not limited to the following:

- (1) Maintaining current knowledge and skills for safe and competent practice;
- (2) Maintaining patient/client confidentiality;
- (3) Maintaining professional boundaries with the patient/client; and
- (4) Abstaining from chemical/substance abuse.

(c) A violation of this section constitutes unprofessional conduct for purposes of initiating disciplinary action.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2859, 2878(a) and 2878.5, Business and Professions Code; Section 11166, Penal Code; and Section 15630(a), Welfare and Institutions Code.

HISTORY:

1. New section filed 9-19-96; effective thirtieth day thereafter (Register 96, No. 38).

2519. Gross Negligence.

As set forth in Section 2878 of the Code, gross negligence is deemed unprofessional conduct and is a ground for disciplinary action. As used in Section 2878 "gross negligence" means a substantial departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent licensed vocational nurse, and which has or could have resulted in harm to the consumer. An exercise of so slight a degree of care as to justify the belief that there was a conscious disregard or indifference for the health, safety, or welfare of the consumer shall be considered a substantial departure from the above standard of care.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2854, 2873, 2880, 2881, 2881.1, 2882-2884, Business and Professions Code.

HISTORY:

1. New section filed 7-31-74; effective thirtieth day thereafter (Register 74, No. 31).
2. Renumbering from Section 2533 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).

2520. Incompetence.

As set forth in Section 2878 of the Code, incompetence is deemed unprofessional conduct and is a ground for disciplinary action. As used in Section 2878 "incompetence" means the lack of possession of and the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by responsible licensed vocational nurses.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2854, 2873, 2880, 2881, 2881.1, 2882-2884, Business and Professions Code.

HISTORY:

1. New section filed 7-31-74; effective thirtieth day thereafter (Register 74, No. 31).
2. Renumbering from Section 2534 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).

2520.1. Child Abuse Reporting.

Pursuant to Penal Code Section 11166, licensed vocational nurses are mandated to report known or suspected child abuse cases to a child protective agency. Failure to make a child abuse report as required shall constitute unprofessional conduct within the meaning of Business and Professions Code Section 2878(a).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2878(a), Business and Professions Code; and Section 11166, Penal Code.

HISTORY:

1. New section filed 4-8-86; effective thirtieth day thereafter (Register 86, No. 15).

2520.2. Elder Abuse Reporting.

Pursuant to Welfare and Institutions Code Section 9381, licensed vocational nurses are mandated to report any known or suspected instance of elder physical abuse to an elder protective agency. Failure to make an elder physical abuse report as required shall constitute unprofessional conduct within the meaning of Business and Professions Code Section 2878(a).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2878(a), Business and Professions Code; and Section 9381, Welfare and Institutions Code.

HISTORY:

1. New section filed 4-8-86; effective thirtieth day thereafter (Register 86, No. 15).

2520.3. Dependent Adult Abuse Reporting.

Pursuant to Welfare and Institutions Code Section 15630(a), licensed vocational nurses are mandated to report any known or suspected instance of dependent adult abuse to an adult protective agency. Failure to make a dependent adult physical abuse report as required shall constitute unprofessional conduct within the meaning of Business and Professions Code Section 2878(a).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2878(a), Business and Professions Code; and Section 15630(a), Welfare and Institutions Code.

HISTORY:

1. New section filed 2-4-87; effective thirtieth day thereafter (Register 87, No. 6).

2521. Substantial Relationship Criteria.

For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a licensed vocational nurse if to a substantial degree it evidences present or potential unfitness of a licensed vocational nurse to perform the functions authorized by his license in a manner consistent with the public health, safety, or welfare. Such crimes or acts shall include but not be limited to those involving the following:

- (a) Procuring a license by fraud, misrepresentation, or mistake.
- (b) A conviction of practicing medicine without a license in violation of Chapter 5 of Division 2 of the Business and Professions Code.
- (c) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or term of Chapter 6.5, Division 2 of the Business and Professions Code.
- (d) Aiding or assisting, or agreeing to aid or assist any person or persons, whether a licensed physician or not, in the performance of or arranging for a violation of any of the provisions of Article 13, Chapter 5, Division 2 of the Business and Professions Code.
- (e) Conviction of a crime involving fiscal dishonesty.
- (f) Any crime or act involving the sale, gift, administration, or furnishing of "narcotics or dangerous drugs or dangerous devices" as defined in Section 4022 of the Business and Professions Code.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 475, 480, 490, 2875, 2876, 2878, 2878.5 and 2878.6, Business and Professions Code.

HISTORY:

1. New section filed 4-1-75; effective thirtieth day thereafter (Register 75, No. 14).
2. Renumbering from Section 2536 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2522. Criteria for Rehabilitation.

(a) When considering the denial of a license under Section 480 of the Business and Professions Code, the Board, in evaluating the rehabilitation of the applicant and his present eligibility for a license, will consider the following criteria:

- (1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.
- (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
- (3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).
- (4) The extent to which the applicant has complied.

2522.5. Rehabilitation Criteria for Suspensions or Revocations.

(a) When considering the suspension or revocation of a license on the ground that a licensed vocational nurse has been convicted of a crime, the Board, in evaluating the rehabilitation of such person and his eligibility for a license will consider the following criteria:

- (1) Nature and severity of the act(s) or offense(s).
- (2) Total criminal record.
- (3) The time that has elapsed since commission of the act(s) or offense(s).
- (4) Whether the licensee has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

(b) Petition for Reinstatement. When considering a petition for reinstatement of a license under the provisions of Section 11522 of the Government Code, the Board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in Section 2522 of this article.

NOTE: Authority cited: Section 4504, Business and Professions Code. Reference: Sections 4530 and 4531, Business and Professions Code.

HISTORY:

1. New section filed 4-1-75; effective thirtieth day thereafter (Register 75, No. 14).
2. Renumbering from Section 2537.5 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment of subsection (b) filed 3-4-78; effective thirtieth day thereafter (Register 78, No. 9).

2523. Citations and Fines -- Content and Service.

(a) The executive officer of the board or his/her designee, in lieu of filing an accusation against any licensee, may issue a citation which may contain an administrative fine and/or order of abatement against that licensee for any violation of law which would be grounds for discipline or of any regulation adopted by the board pursuant thereto.

(b) Each citation shall be in writing, shall indicate the classification of the citation, and shall describe with particularity the nature and facts of each violation specified in the citation, including a reference to the statute or regulation alleged to have been violated.

(c) The citation may contain an assessment of an administrative fine, an order of abatement fixing a reasonable time for abatement of the violation or both.

(d) The citation shall inform the cited person of the right to an informal conference concerning the matter and of the right to an administrative hearing.

(e) The citation shall be served upon the cited person personally or by certified and regular mail.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2523.1. Exceptions.

A citation shall not be issued in any of the following circumstances:

(a) The violation is of such a nature and/or severity that revocation of the license or restrictions on the license are necessary in order to ensure consumer protection.

(b) The licensee's conduct displayed a conscious disregard for the patient and/or the patient's rights. This includes but is not limited to physical abuse; neglect; fiduciary abuse (as defined in the Welfare and Institutions Code); or the deprivation of care or services which are necessary to avoid physical harm or mental suffering.

(c) The licensee failed to comply with any requirement of any previous citation, including any order of abatement or fine.

(d) The licensee has been previously disciplined by the board or has previously been denied a license by the board for the same or similar actions.

(e) The violation involves unprofessional conduct related to controlled substances or dangerous drugs.

(f) The violation involves unprofessional conduct related to sexual abuse, misconduct, or relations with a patient.

(g) The licensee was convicted of an offense substantially related to the qualifications, functions, and duties of a licensed vocational nurse and there is insufficient evidence of rehabilitation.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2523.2. Violation Classifications.

- (a) There shall be two classes of violations:
 - (1) Class "A", and
 - (2) Class "B".
- (b) In determining the violation class, the following factors shall be considered:
 - (1) Nature and severity of the violation.
 - (2) Length of time that has passed since the date of the violation.
 - (3) Consequences of the violation, including potential or actual patient harm.
 - (4) History of previous violations of the same or similar nature.
 - (5) Evidence that the violation was willful.
- (c) The fine for each class "A" violation shall be not less than \$1,001 nor more than \$2,500. A class "A" violation includes:
 - (1) A violation which resulted in or could have resulted in patient harm and where there is no evidence that revocation or other disciplinary action is required to ensure consumer safety. Such violations include but are not limited to patient abandonment and falsifying nursing notes.
 - (2) Any violation which is neither directly or potentially detrimental to patients nor directly or potentially impacts their care. Such violations include, but are not limited to, a violation committed for personal and/or financial gain or fraud.
 - (3) A minor or technical violation which continues for six months or more in duration; or
 - (4) A minor or technical violation with one or more "B" citations.
- (d) The fine for each class "B" violation shall not exceed \$1,000. A class "B" violation is a minor or technical violation which is neither directly or potentially detrimental to patients nor directly or potentially impacts their care and which continues for less than six months duration. Such violations include but are not limited to practicing with an expired license, precharting, charting errors, verbal abuse.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2523.3. Citations for Unlicensed Practice.

The executive officer of the board or his/her designee may issue citations, in accordance with Section 148 of the Code, against any person (as defined in section 302 of the Code) who is performing or who has performed services for which licensure is required under the Vocational Nursing Practice Act or regulations adopted pursuant thereto. Each citation issued under this section shall contain an order of abatement. The sanction authorized under this section shall be separate from and in addition to any other civil or criminal remedies.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)
2. Amendment filed 1-14-98; effective thirtieth day thereafter (Register 98, No. 3).

2523.4. Criteria to be Considered in Assessing a Fine.

In any citation which includes a fine, the following factors shall be considered in determining the amount of the fine to be assessed:

- (a) Gravity of the violation.
- (b) History of previous violations of the same or a similar nature.
- (c) The good or bad faith exhibited by the cited person.
- (d) Evidence that the violation was willful.
- (e) The extent to which the cited person cooperated with the board's investigation.

(f) The extent to which the cited person has remediated any knowledge and/or skills deficiencies which could have injured a patient.

(g) Any other mitigating or aggravating factors.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2523.5. Contested Citations.

(a) In addition to requesting a hearing provided for in subdivision (b)(4) of Section 125.9 of the Code, the cited person may, within 14 calendar days after service of the citation, submit a written request for an informal citation review with the executive officer or his/her designee. A request for a citation review shall be deemed a request for an administrative hearing.

(b) The executive officer or his/her designee shall, within 30 calendar days from receipt of the written request, hold an informal conference with the person cited and his/her legal counsel or authorized representative, if desired.

(c) The executive officer or his/her designee may affirm, modify or dismiss the citation, including any fine or order of abatement, at the conclusion of the informal conference. A written decision stating the reasons for the decision shall be mailed to the cited person and his/her legal counsel, if any, within 14 calendar days from the date of the informal conference.

If the citation is dismissed, the request for a hearing shall be deemed withdrawn. If the citation is affirmed or modified, the cited person may, in his/her discretion, withdraw the request for a hearing or proceed with the administrative hearing process.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2523.6. Compliance with Citation -- Order of Abatement.

(a) Orders of abatement may be extended for good cause. If a cited person who has been issued an order of abatement is unable to complete the correction within the time set forth in the citation because of conditions beyond his/her control after the exercise of reasonable diligence, then he/she may request from the executive officer or his/her designee an extension of time within which to complete the correction. Such a request shall be in writing and shall be made within the time set forth for abatement.

(b) If a citation is not contested, or if the order is appealed and the person cited does not prevail, failure to abate the violation or to pay the assessed fine within the time allowed shall constitute a violation and a failure to comply with the citation or order of abatement.

(c) Failure to timely comply with an order of abatement or pay an assessed fine may result in disciplinary action being taken by the board or other appropriate judicial relief being taken against the person cited.

(d) If a fine is not paid after a citation has become final, the fine shall be added to the cited person's license renewal fee. A license shall not be renewed without payment of the renewal fee and fine.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2523.7. Notification to Other Boards and Agencies.

The issuance and disposition of a citation shall be reported to other boards of vocational nursing, registered nursing and other regulatory agencies.

NOTE: Authority cited: Sections 125.9, 148 and 2854, Business and Professions Code. Reference: Sections 125.9 and 148, Business and Professions Code.

HISTORY:

1. New Section filed 7-27-95; effective thirtieth day thereafter (Register 95, No. 30)

2524. Disciplinary Guidelines.

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.) the Board shall consider the disciplinary guidelines entitled "Disciplinary Guidelines", (Rev. 1/1/2000), which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board, in its sole discretion, determines that the facts of the particular case warrant such a deviation -- for example: the presence of mitigating factors; the age of the case; evidentiary problems.

NOTE: Authority cited: Section 2854, Business and Professions Code, Section 11425.50(e), Government Code. Reference: Sections 2875, 2876 and 2878, Business and Professions Code; Section 11425.50(e), Government Code.

1. New Section filed 10-23-96; effective thirtieth day thereafter (Register 96, No. 43).
2. Amendment filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

Article 5. Schools of Vocational Nursing

2525. Accredited Schools of Nursing -- Definition.

(See Section 2502 (c) of this chapter.)

HISTORY:

1. Renumbering from Section 2550 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).

2526. Procedure for Accreditation.

(a) The institution shall apply to the Board for accreditation. Written documentation shall be prepared by the director and shall include:

- (1) Philosophy of the program.
- (2) Conceptual framework.
- (3) Terminal objectives to indicate expected student outcomes upon successful completion of the program.
- (4) Curriculum objectives.
- (5) Course outlines.
- (6) Course objectives.
- (7) Instructional plan.
- (8) Evaluation methodology for curriculum.
- (9) Faculty who meet the qualifications set forth in Section 2529.
- (10) Clinical facilities.
- (11) Evaluation methodology for clinical facilities.
- (12) Admission criteria.
- (13) Screening and selection criteria.
- (14) Number of students.
 - (A) A school may admit alternate students in each new class to replace students who drop out prior to commencement of the scheduled clinical experience.
 - (B) Upon commencement of clinical experience, the number of students may not exceed the actual number of students approved by the Board for that particular class.
- (15) Evaluation methodology for student progress.
- (16) Student policies:
 - (A) Credit granting.
 - (B) Attendance.
 - (C) Grievance.

- (17) Organizational chart.
- (18) Proposed starting date.
- (19) Evidence of program need to include, but not be limited to:
 - (A) Description of the geographic area and community to be served by the proposed program;
 - (B) Clinical affiliations available for student clinical experience; and
 - (C) Existing nursing programs with which clinical affiliations are shared.
- (b) An institution may commence a new vocational nursing program upon Board approval.
- (c) A Board representative shall make a survey visit prior to graduation of the initial class. A program shall not commence another class without prior Board approval.
- (d) Accreditation will be granted by the Board when a vocational nursing program demonstrates that it meets all requirements as set forth in this chapter and in chapter 6.5, Division 2 of the Business and Professions Code.
- (e) The accreditation period shall be for a term of four years unless the Board grants an extension.
 - (1) An extension may be granted when the program demonstrates to the satisfaction of the Board that it is in full compliance with all requirements as set forth in this chapter and in chapter 6.5, Division 2 of the Business and Professions Code.
 - (2) The extension may be granted for a period not to exceed four years.
- (f) Six months prior to the date of accreditation expiration, a program may apply for continued accreditation based upon submission of documentation satisfactory to the Board. A subsequent survey visit may be conducted by a Board representative.
- (g) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for denial or revocation of accreditation or provisional accreditation.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2880, 2881 and 2883, Business and Professions Code.
HISTORY:

- 1. Amendment and renumbering from section 2551 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36). For prior history, see Register 75, No. 28.
- 2. Amendment of subsection (c)(4)(B) filed 7-29-76; effective thirtieth day thereafter (Register 76, No. 31).
- 3. Amendment of subsection (a), repealer of subsections (a)1.-(b), new subsections (a)1.-(e) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
- 4. Editorial correction deleting duplicate section (Register 92, No. 18).
- 5. Amendment filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2526.1 Provisional Accreditation.

- (a) Provisional accreditation means a program has not met all requirements as set forth in this chapter and in Chapter 6.5, Division 2 of the Business and Professions Code.
- (b) Provisional accreditation shall be granted for a period not to exceed two years unless the Board grants an extension.
- (c) The Board may place any program on provisional accreditation when a program does not meet all requirements as set forth in this chapter and in Section 2526. A provisional accreditation may be extended when a program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies.
- (d) Any program holding provisional accreditation may not admit “new” classes beyond the established pattern of admission previously approved by the Board.
- (e) A program placed on provisional accreditation shall receive written notification from the Board. The notification to the program shall include specific areas of noncompliance and requirements for correction. A program’s failure to correct delineated areas of noncompliance is cause for revocation of provisional accreditation.
- (f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional accreditation.
- (g) A revocation of provisional accreditation is cause for removal from the Board’s list of accredited programs.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2880, 2881, and 2883, Business and Professions Code.

HISTORY:

New section filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2527. Reports.

(a) The Board shall require such reports by schools and conduct such investigations as necessary to determine whether or not accreditation will be continued.

(b) A school shall report to the Board within ten days of the termination of a faculty member.

(c) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for denial or revocation of accreditation or provisional accreditation.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881 and 2883, Business and Professions Code.

HISTORY:

1. Amendment filed 7-11-75; effective thirtieth day thereafter (Register 75, No. 28).
2. Renumbering from section 2552 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 47).
4. New subsection (c) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
5. Editorial correction deleting duplicate section (Register 92, No. 18).
6. Amendment to subsection (c) filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2528. Faculty -- Report of Changes.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881 and 2882, Business and Professions Code.

HISTORY:

1. Amendment filed 7-11-75; effective thirtieth day thereafter (Register 75, No. 28).
2. Renumbering from Section 2553 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Repealer of subsection (b) filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
4. Repealer filed 12-29-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 1).

2529. Faculty Qualifications.

(a) A school shall submit qualifications of the proposed faculty members for approval by the Board prior to employment.

(b) Each vocational nursing program shall have one faculty member, designated as director who meets the requirements of subsection (c)(1) herein, who shall actively administer the program. The director is responsible for compliance with all regulations in Chapter 1, Article 5 (commencing with Section 2525 et seq.).

(c) Requirements for specific faculty positions are as follows:

(1) **Director:** A director of a vocational nursing program shall:

- (A) Hold a current California active license as a Registered Nurse; and
- (B) Hold a baccalaureate degree from an accredited school; and
- (C) Have a minimum of three years experience as a registered nurse; one year shall be in teaching or clinical supervision, or a combination thereof, in a state accredited or approved registered nursing or vocational or practical nursing, or psychiatric technician school within the last five years; or a minimum of three years experience in nursing administration or nursing education within the last five years; and
- (D) Have completed a course or courses offered by an accredited school with instruction in administration, teaching, and curriculum development.

(2) **Assistant Director:** An assistant director of a vocational nursing program shall:

- (A) Hold a current California active license as a Registered Nurse; and
- (B) Hold a baccalaureate degree from an accredited school; and
- (C) Have a minimum of three years experience as a registered nurse; one year shall be in teaching or clinical supervision, or a combination thereof, in a state accredited or approved registered nursing or vocational or practical nursing, or psychiatric technician school within the last five years; or have a minimum of three years experience in nursing administration or nursing education within the last five years; and
- (D) Have completed a course or courses offered by an accredited school with instruction
(1) in teaching, (2) curriculum development, and (3) administration.

(3) **Instructor:** An instructor in a vocational nursing program shall have or be currently attending a course offered by an accredited school in teaching; and shall meet the requirements of Subsection A or B, below:

(A) Registered Nurse:

1. Hold a current California active license as a Registered Nurse; and
2. Hold a baccalaureate degree from an accredited school; or a valid teaching credential; or have completed a minimum of one year full-time teaching experience in a state accredited or approved registered nursing or vocational or practical nursing, or psychiatric technician school within the last five years; or met community college or state university teaching requirements in California; and
3. Have a minimum of two years experience as a registered nurse or licensed vocational nurse within the last five years.

(B) Licensed Vocational Nurse:

1. Hold a current California active license as a Vocational Nurse; and
2. Hold a baccalaureate degree from an accredited school; or a valid teaching credential; or have completed a minimum of one year full-time teaching experience in a state accredited or approved registered nursing or vocational or practical nursing, or psychiatric technician school within the last five years; or met community college or state university teaching requirements in California; and
3. Have a minimum of two years experience as a vocational nurse within the last five years.

(4) **Additional Faculty:** Persons of other disciplines may teach curriculum content as specified in Section 2533(d). Such instructors shall have the qualifications to teach in a community college or a state university in California or hold a baccalaureate degree in the field related to the curriculum content taught, or meet the requirements for vocational education credential.

(5) **Teacher Assistant:** A teacher assistant in a vocational nursing program shall:

- (A) Hold a current California active license as a Vocational Nurse or Registered Nurse; and
- (B) Have a minimum of two years of experience as a licensed vocational nurse or registered nurse within the last five years.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881 and 2883, Business and Professions Code.

HISTORY:

1. Amendment of subsection (c) filed 4-12-89; operative 5-12-89 (Register 89, No. 23). For prior history, see Register 87, No. 6.
2. Amendment filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
3. Amendment filed 11-20-97; effective thirtieth day thereafter (Register 97, No. 47).

2530. General Requirements.

(a) The program shall have sufficient resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program's objectives.

(b) Regular faculty meetings shall be held. Minutes shall be available to the Board's representative.

(c) Clinical faculty shall have no other responsibilities during the hours assigned to the instruction of students.

(d) Each teacher assistant shall work under the direction of an approved instructor. No more than one teacher assistant may be assigned to each instructor. Each teacher assistant shall assist the instructor in skills lab and clinical teaching only. The instructor to whom the teacher assistant is assigned shall be available to provide direction to the teacher assistant as needed.

(e) Each instructor shall have a daily lesson plan which correlates the theory and practice offered to the student. A copy of this plan shall be available to the director.

(f) The program's instructional plan shall be available to all faculty.

(g) Each school shall have on file proof that each enrolled student has completed an approved general education course of study through the 12th grade or evidence of completion of the equivalent thereof.

(h) Each school shall have an attendance policy approved by the Board. The policy shall include but not be limited to, criteria for attendance and the specific course objectives for which make-up time is required. Acceptable methods for make-up include:

- (1) Theory: case studies, independent study, written examination, attendance at seminars or workshops, auto-tutorial laboratory, and research reports.

- (2) Clinical: performance evaluation in skills laboratory or additional time in the clinical area with clients/patients.
- (i) The school shall evaluate student performance to determine the need for remediation or removal from the program.
- (j) Each school shall advise students, in writing, of the following:
 - (1) Right to contact the Board of program concerns.
 - (2) Credit for previous education and experience.
 - (3) School's grievance policy.
 - (4) List of Board approved clinical facilities.
- (k) The program shall have prior Board approval to increase the number of students per class and/or increase the frequency of admission of classes. Criteria to evaluate a school's request to increase the number of students per class and/or increase the frequency of class admissions include but are not limited to:
 - (1) Sufficient program resources as specified in section 2530(a).
 - (2) Adequacy of clinical experience as specified in section 2534.
 - (3) Licensure examination pass rates as specified in section 2530 (l).
- (l) The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.
 - (1) Failure to achieve the required yearly average minimum pass rate within two years of initial approval may be cause to place a program on provisional accreditation.
 - (2) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2866, 2881 and 2882, Business and Professions Code.
HISTORY:

- 1. New section filed 10-4-61; effective thirtieth day thereafter (Register 61, No. 20).
- 2. New subsections (f) and (g) filed 12-17-70; effective thirtieth day thereafter (Register 70, No. 51).
- 3. Amendment filed 7-11-75; effective thirtieth day thereafter (Register 75, No. 28).
- 4. Amendment and renumbering from section 2554.1 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
- 5. Amendment of subsection (l) filed 4-10-80; effective thirtieth day thereafter (Register 80, No. 15).
- 6. New subsection (j) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
- 7. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 47).
- 8. Amendment filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
- 9. Amendment filed 7-24-96; effective thirtieth day thereafter (Register 96, No. 30).
- 10. Amendment to subsections (h) and (k) and new subsection (l) filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2531. Curriculum.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2882, Business and Professions Code.
HISTORY:

- 1. New section filed 6-9-59; effective thirtieth day thereafter (Register 59, No. 9).
- 2. Amendment filed 12-17-70; effective thirtieth day thereafter (Register 70, No. 51).
- 3. Amendment and renumbering from Section 2554.5 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
- 4. Amendment filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
- 5. Repealer filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2532. Curriculum Hours.

- (a) The course in vocational nursing shall consist of not less than 1530 hours or 50 semester units, and may be given on either a full-time or part-time basis. One hour of instruction for purposes of computing the total hours of instruction or for calculating semester units as specified in this section shall consist of not less than 50 minutes of actual class time.
- (b) The minimum hours required shall be as follows: Theory Hours-576, which shall include a minimum of 54 hours in pharmacology; Clinical Hours-954.
- (c) The school week shall not exceed 40 hours per week, and the school day shall not exceed eight hours, including class attendance and clinical experience.
- (d) Students may be granted holidays and vacation days equivalent to those granted by community colleges.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881 and 2882, Business and Professions Code.

HISTORY:

1. Renumbering of Section 2556.5 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36). For prior history see Register 72, No. 21.
2. Amendment of subsection (b) filed 2-18-81; effective thirtieth day thereafter (Register 81, No. 8).
3. Amendment of subsection (b) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
4. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
5. Amendment of subsection (a) filed 4-8-86; effective thirtieth day thereafter (Register 86, No. 15).

2533. Curriculum Content.

- (a) Vocational nurse programs shall include theory and correlated clinical experience.
- (b) The curriculum shall develop the knowledge, skills, and abilities necessary to care for patients of all ages in current health care settings.
- (c) Curriculum content shall be taught in a sequence that results in students' progressive mastery of knowledge, skills and abilities.
- (d) The curriculum content shall include:
 - (1) Anatomy and physiology
 - (2) Nutrition
 - (3) Psychology
 - (4) Normal growth and development
 - (5) Nursing fundamentals
 - (6) Nursing process
 - (7) Communication
 - (8) Patient education
 - (9) Pharmacology which shall include:
 - (A) Knowledge of commonly used drugs and their action
 - (B) Computation of dosages
 - (C) Preparation of medications
 - (D) Principles of administration
 - (10) Medical-surgical nursing
 - (11) Communicable diseases, which shall include but not be limited to Human Immunodeficiency Virus (HIV)
 - (12) Gerontological nursing
 - (13) Rehabilitation nursing
 - (14) Maternity nursing
 - (15) Pediatric nursing
 - (16) Leadership
 - (17) Supervision
- (e) The following courses may be taught by non-nurse instructors:

<i>Courses</i>	<i>Maximum Hours of Non-Nurse Instruction Accepted by the Board</i>
Anatomy and Physiology	54
Psychology	54
Pharmacology	54
Nutrition	54
Normal Growth and Development	54

- (f) All curricular changes that significantly alter the program philosophy, conceptual framework, content, objectives, or other written documentation as required in Section 2526, shall be approved by the Board prior to

implementation. Proposed curricular changes must be submitted to the Board in final form by the fifteenth day of the second month preceding the month of the Board meeting at which the changes will be considered. Revisions should include:

- (1) Explanation of changes;
- (2) Rationale for proposed revision;
- (3) Description of revised curriculum materials; and
- (4) Changes to behavioral objectives, if applicable.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881.1 and 2882, Business and Professions Code.

HISTORY:

1. Amendment filed 2-2-76 as an emergency; effective upon filing (Register 76, No. 6). For prior history, see Register 75, No. 36.
2. Reinstatement of section as it existed prior to emergency amendment filed 2-2-76, by operation of section 11422.1(b), Gov. Code (Register 76, No. 23).
3. New subsection (b)(4) filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
4. Amendment of subsection (d) filed 9-27-79; effective thirtieth day thereafter (Register 79, No. 39).
5. Amendment of subsection (f) filed 4-10-80; effective thirtieth day thereafter (Register 80, No. 15).
6. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 47).
7. Amendment of subsection (a)(8) and new subsections (a)(8)(A)-(a)(8)(D) filed 4-12-89; operative 5-12-89 (Register 89, No. 23).
8. Amendment filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
9. Amendment filed 11-20-97; effective thirtieth day thereafter (Register 97, No. 47).
10. Amendment filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2534. Clinical Experience.

- (a) Schools shall apply on a form provided by the Board for approval of each clinical facility prior to use.
- (b) Schools shall have clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas specified by Section 2533. There must be available for student assignment, an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught. Clinical objectives which students are expected to master shall be posted on patient care units utilized for clinical experience.
- (c) Schools are responsible for the continuous review of clinical facilities to determine if the student's clinical objectives for each facility are being met.
- (d) For supervision of clinical experience, there shall be a maximum of 15 students for each instructor.
- (e) Fifty percent of the clinical experience may be obtained during the evening shift, except upon determination by the Board that clinical objectives may be met by using additional evening hours.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2873, 2881, 2882 and 2883, Business and Professions Code.

HISTORY:

1. Amendment filed 12-17-70; effective thirtieth day thereafter (Register 70, No. 51). For prior history, see Register 68, No. 22.
2. Renumbering from Section 2557 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
3. Amendment of subsection (b) filed 2-2-76 as an emergency; effective upon filing (Register 76, No. 6).
4. Reinstatement of subsection (b) as it existed prior to emergency amendment filed 2-2-76, by operation of Section 11422.1(b), Gov. C. (Register 76, No. 23).
5. Amendment of subsection (b) filed 4-10-80; effective thirtieth day thereafter (Register 80, No. 15).
6. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
7. Amendment filed 11-20-97; effective thirtieth day thereafter (Register 97, No. 47).

2534.1 Clinical Preceptorships.

- (a) With prior Board approval, each vocational nursing program may offer an optional clinical preceptorship during the last nine weeks of the program.
- (b) Preceptorship means an optional clinical experience for selected vocational nursing students, which is conducted in the last nine (9) weeks of the vocational nursing program.
- (c) Preceptor means a registered nurse or a licensed vocational nurse on staff at the clinical facility in which the preceptorship will occur who is specially selected and prepared to work with a student during the preceptorship and who shall be responsible for on-site direction of the student's preceptorship.
- (d) The program director or designee shall be responsible for the overall management of the preceptorship and final student outcomes.

(e) General Requirements

- (1) The preceptorship may be conducted in any health care setting (including acute, subacute, clinic or a combination of settings) wherein the specific clinical objectives can be met.
- (2) The goal of the preceptorship shall be the facilitation of students' maximal application of newly acquired knowledge, skills, and abilities in a realistic setting that simulates actual job performance.
- (3) Preceptorships shall not be used for clinical make-up time or remediation.
- (4) Prior to implementation of the preceptorship, the director shall apply for Board approval and specify the clinical objectives to be accomplished by the student in the preceptorship facility.
- (5) The total length of a student's preceptorship shall not exceed 160 hours.
- (6) The total hours per week required of a student for theory and preceptorship attendance shall not exceed 40 hours.
- (7) The total hours per day required of a student for theory and preceptorship attendance shall not exceed eight (8) hours.
- (8) The preceptorship shall be conducted within the last nine (9) weeks of the program or when presentation of new theory and correlated clinical content has been completed, whichever occurs later.
- (9) The maximum instructor-to-preceptorship student ratio is 1:15.
- (10) The maximum preceptor-to-student ratio is 1:1.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881 and 2882, Business and Professions Code

HISTORY:

1. New section filed 5-31-2000; effective thirtieth day thereafter (Register 00, No. 22).

2535. Credit for Previous Education and Experience.

Each school shall have a policy, approved by the Board for giving credit toward the curriculum requirements.

(a) Transfer credit shall be given for related previous education completed within the last five years. This includes the following courses:

- (1) Accredited vocational or practical nursing courses.
- (2) Accredited registered nursing courses.
- (3) Accredited psychiatric technician courses.
- (4) Armed services nursing courses.
- (5) Certified nurse assistant courses.
- (6) Other courses the school determines are equivalent to courses in the program.

(b) Competency-based credit shall be granted for knowledge and/or skills acquired through experience. Credit shall be determined by written and/or practical examinations.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2881.1, Business and Professions Code.

HISTORY:

1. New subsection (a)(6) filed 5-18-79; effective thirtieth day thereafter (Register 79, No. 20). For prior history, see Register 77, No. 41; 75, No. 36; 70, No. 37.
2. New subsection (c) filed 4-10-80; effective thirtieth day thereafter (Register 80, No. 15).
3. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2536. Transcript of Records.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2881, 2882 and 2883, Business and Professions Code.

HISTORY:

1. Amendment filed 12-10-64; effective thirtieth day thereafter (Register 64, No. 24).
2. Amendment filed 12-17-70; effective thirtieth day thereafter (Register 70, No. 51).
3. Renumbering from Section 2558 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
4. Repealer filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

Article 6. Revenue

2537. Fees. [Superseded by statutory provisions. See Section 2895 of the Business and Professions Code.]

The following fees are established:

- (a) The application fee is fifty dollars (\$50.00).
- (b) The biennial renewal fee is fifty dollars (\$50.00).
- (c) The delinquency fee is twenty-five dollars (\$25).
- (d) The reexamination fee for any examination after the first is thirty-five dollars (\$35).
- (e) The initial license fee is fifty dollars (\$50.00).
- (f) The penalty fee for submitting insufficient funds or fictitious check, draft or order or any bank or depository for payment of any fee to the Board is ten dollars (\$10).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2867.5 and 2895, Business and Professions Code; and Section 6157, Government Code.

HISTORY:

- 1. Amendment of subsection (a) filed 5-18-84; designated effective 1-1-85 (Register 84, No. 20). For prior history, see Register 83, No. 47.
- 2. Amendment of subsections (a), (b) and (d) filed 1-22-86; designated effective 4-1-86 (Register 86, No. 4).
- 3. Amendment filed 8-28-87; operative 8-28-87 (Register 87, No. 35).
- 4. Amendment of subsections (a), (b) and (e) filed 9-27-89; operative 10-27-89 (Register 89, No. 40.)

2537.1. Provider's Fees. [Superseded by statutory provisions. See Section 2892.6 of the Business and Professions Code.]

Pursuant to Section 2892.6 of the Code the following fees for applications for approval of continuing education courses are established:

- (a) The fee is \$50 for the first course for which approval is sought.
- (b) The fee is \$5 for each additional course for which approval is sought.
- (c) A \$50 fee must be submitted every two years for initial course approval, followed by a \$5 fee for each additional course.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.6, Business and Professions Code.

HISTORY:

- 1. New section filed 3-29-79; effective thirtieth day thereafter (Register 79, No. 13).
- 2. Amendment filed 9-8-81; effective thirtieth day thereafter (Register 81, No. 37).

2538. Waiver of Initial License Fee.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2892 and 2895, Business and Professions Code.

HISTORY:

- 1. Renumbering from Section 2559.1 filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
- 2. Repealer filed 9-8-81; effective thirtieth day thereafter (Register 81, No. 37).

Article 7. Continuing Education

2540. Definitions.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2854 and 2892.5, Business and Professions Code.

HISTORY:

- 1. New Article 7 (2540, 2540.1-2540.5) filed 9-30-75; effective thirtieth day thereafter (Register 75, No. 40).
- 2. Repealer filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.1. Hour Requirements.

(a) Each licensee renewing a license under Section 2892 of the Code shall submit proof of having completed, during the preceding two years, thirty (30) hours of continuing education acceptable to the Board.

(b) This section shall not apply to the first license renewal following the initial issuance of a license.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.5, Business and Professions Code.

HISTORY:

1. Amendment of subsection (a) filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
2. Amendment of subsections (a) and (c) filed 2-18-81; effective thirtieth day thereafter (Register 81, No. 8.)
3. Amendment filed 9-8-81; effective thirtieth day thereafter (Register 81, No. 37).
4. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.2. Continuing Education Courses.

(a) The Board will accept each hour of theory or course-related clinical experience as one (1) hour of continuing education.

(b) Continuing education courses approved by nursing licensing agencies of this or of other states, or nursing organizations of this or other states, or courses considered comparable by the Board will be accepted.

(c) Courses which are prerequisite to or part of a registered nursing program, or college/university courses related to the licensed vocational nurse scope of practice will be accepted.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.5, Business and Professions Code.

HISTORY:

1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.3. Course Approval.

(a) Providers applying for approval of a continuing education course must:

- (1) Apply on forms provided by the Board;
- (2) Submit any required forms or information in duplicate;
- (3) Include the following information:
 - (A) A description of the subject matter of the course as it relates to recent developments in the vocational nursing field or in any special area of vocational nursing practice;
 - (B) The course objectives;
 - (C) Method of instruction;
 - (D) Length of the course, date the course will start, total number of hours in the course and the course location;
 - (E) Any enrollment restrictions or prerequisites;
 - (F) Identify the course instructor's qualifications, as specified in Section 2540.4.

(b) The Board will issue approval to the provider. A course will not be approved for more than a two-year period.

(c) Approval of a continuing education course may be withdrawn if the Board later discovers misrepresentation of the information required by subsection (a).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.5, Business and Professions Code.

HISTORY:

1. Amendment of subsections (a)(4) and (c) filed 3-3-78; effective thirtieth day thereafter (Register 78, No. 9).
2. Amendment of subsection (a) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
3. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.4. Approval of Course Instructors.

For approval, instructors shall meet two of the following:

- (a) Completion within two years preceding course approval of specialized training in the subject matter of the course;
- (b) Completion of academic studies related to the subject matter of the course within two years of course approval;
- (c) Experience teaching a course with similar subject matter content within the previous two years;
- (d) Six months of work experience in the subject matter of the course within the previous three years;
- (e) Experience in developing academic courses within two years preceding course approval.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.5, Business and Professions Code.

HISTORY:

1. Amendment filed 3-3-78; effective thirtieth day thereafter (Register 78, No. 9).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.5. Course Completion Certificates and Reporting.

- (a) At the completion of the course the provider shall issue a certificate to each licensee.
- (b) The licensee shall record on the license renewal form the date each course was completed, provider/course number, course title, and total hours of the course.
- (c) Licensees are required to maintain a record of continuing education courses taken during the last four (4) years.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.5, Business and Professions Code.

HISTORY:

1. Amendment of subsection (b) filed 3-3-78; effective thirtieth day thereafter (Register 78, No. 9).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.6. Inactive Licenses.

- (a) A license will be placed on inactive status when the renewal fee is paid and continuing education requirements have not been met.
- (b) To reactivate an inactive license the licensee must submit proof of thirty hours of continuing education taken during the preceding two years.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 700, 701, 703, 704 and 2892.5, Business and Professions Code.

HISTORY:

1. Amendment filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2540.7. Exemption from Continuing Education Requirements.

- (a) At the time of making application for renewal, an applicant for exemption from the continuing education requirements shall make such application on a form prescribed by the Board.
- (b) The applicant must show evidence satisfactory to the Board, that during the two-year period immediately prior to the expiration date of the applicant's license, the licensee:
 - (1) Has been residing in another country for a period of one year or longer reasonably preventing completion of continuing education requirements; or
 - (2) Has been absent from California because of military or missionary service for a period of one year or longer preventing completion of continuing education requirements; or
 - (3) Should be exempt from the continuing education requirements for reasons of health or other good cause which includes:
 - (A) Total physical and/or mental disability for one year or more and the ability to return to work, as verified by a licensed physician and surgeon or licensed clinical psychologist.

(B) Total physical and/or mental disability for one year or longer of an immediate family member for whom the licensee has total responsibility, as verified by a licensed physician and surgeon or licensed clinical psychologist.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2892.5, Business and Professions Code.

HISTORY:

1. New section filed 5-18-79; effective thirtieth day thereafter (Register 79, No. 20).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
3. Editorial correction of subsections (a) and (b) (Register 84, No. 2).

Article 8. Intravenous Therapy

2542. Definitions.

As used in this Article:

(a) "Intravenous fluids" means fluid forms of blood, blood products, vitamins, nutrients, electrolytes, and other medications including, but not limited to, anticoagulants and antibiotics. Intravenous fluids are differentiated into two categories:

(1) Category I includes blood, blood products, vitamins, nutrients, and electrolytes;

(2) Category II includes other medications including, but not limited to, anticoagulants or antibiotics.

(b) "Superimpose" means to connect a container of intravenous fluid to tubing through which another container of intravenous fluid has just been administered.

(c) "Primary infusion line" means the line which provides a direct infusion between the container and the peripheral vein.

(d) "Secondary infusion line" means a line which provides infusion through a lateral access into a primary infusion line.

(e) "Standardized procedures" means written policies and protocols that:

(1) are readily available to medical and nursing staffs;

(2) were formulated by a committee that included representatives of the medical, nursing, and administrative staffs; and

(3) were adopted by the organized health care system.

(f) "Organized health care system" includes, but is not limited to, facilities licensed pursuant to Section 1250 of the Health and Safety Code, clinics, home health agencies, physicians' offices, and public or community health services.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. New article 8 (sections 2542-2542.5) filed 12-4-75; effective thirtieth day thereafter (Register 75, No. 49).
2. New subsections (c) and (d) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
3. Amendment of section heading, section and Note filed 1-29-2003; operative 2-28-2003 (Register 2003, No. 5).

2542.1. Intravenous Therapy.

(a) A licensed vocational nurse may start and superimpose Category I intravenous fluids via primary or secondary infusion lines when directed by a licensed physician under the following conditions:

(1) The licensed vocational nurse has either:

(A) Satisfactorily completed a course in intravenous therapy approved by the Board, as defined in Section 2542.3; or

(B) Submitted certification, satisfactory to the Board, by one of the persons specified in Section 2542.4, that the licensee has been instructed in the subject areas specified in Section 2542.3 and that the licensee has the knowledge, skills and abilities to safely practice venipuncture; and

(2) The procedure is performed pursuant to standardized procedures as defined in Section 2542(e).

(b) A licensed vocational nurse may, when directed by a licensed physician, start and superimpose Category

II intravenous fluids in hemodialysis, pheresis or blood bank settings under the following conditions:

- (1) All the conditions specified in subsection (a) above have been met.
- (2) The licensed vocational nurse has received specialized instruction in the proper procedure from a registered nurse or a licensed physician and demonstrates to a registered nurse or licensed physician the requisite knowledge, skills and abilities to perform the procedure. The method of the specialized instruction and demonstration shall be set forth in the standardized procedures as defined in Section 2542(e).
- (3) The physician's order is specific to the individual patient.
- (4) The physician's individualized order designates the specific Category II intravenous fluids to be used in hemodialysis, pheresis or blood bank procedures within the particular setting; and
- (5) A registered nurse or licensed physician is in the immediate vicinity. The definition of immediate vicinity for each facility shall be set forth in the standardized procedures as defined in Section 2542(e).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment of subsection (b)(3) filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
2. Amendment of subsection (b)(3) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
3. Amendment of subsection (b) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
4. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2 (d) (Register 83, No. 47).
5. Amendment of first paragraph and subsection (b) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
6. Repealer and new section filed 2003; filed 1-29-2003; operative 2-28-2003 (Register 2003, No. 5).

2542.2. Procedure for Course Approval.

- (a) A person or institution applying for approval of a course of instruction in intravenous therapy must:
 - (1) Complete an application form supplied by the Board.
 - (2) Submit any required information or forms in duplicate.
- (b) A course of instruction must be approved by the Board before it is offered by the provider.
- (c) A course will not be approved for more than a two-year period.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment of subsection (c) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2)
2. Amendment of subsections (a) and (b) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).

2542.3. Approval of Courses.

(a) A course in intravenous therapy shall be taught by an instructor approved as provided in Section 2542.4; shall have a maximum of 15 students for each instructor for clinical practice; and shall be at least 30 hours in length, including 24 hours theory and 6 hours clinical experience, with at least 3 individually supervised successful venipunctures by each student on live subjects. The theory shall include, but not be limited to the following:

- (1) The requirements contained in Section 2860.5(c) of the Code necessary for a nurse to start and superimpose intravenous fluids;
 - (2) Psychological preparation of the patient;
 - (3) Reasons for use of intravenous therapy;
 - (4) Types of venipuncture devices;
 - (5) Types of delivery systems;
 - (6) Types of intravenous fluids;
 - (7) Preparation and immobilization of the venipuncture site;
 - (8) Observation of the patient;
 - (9) Regulation of the fluid flow;
 - (10) Local and systemic reactions;
- (b) Clinical experience must include:
- (1) Preparation of equipment;
 - (2) Safety factors of intravenous administration;
 - (3) Choice of vein;

- (4) Choice of device;
- (5) Techniques of venipuncture:
 - (A) Direct;
 - (B) Indirect;
- (6) Universal precautions for infection control.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment of subsection (a) filed 7-29-76; effective thirtieth day thereafter (Register 76, No. 31).
2. Amendment of subsections (a), (b)(4) and (b)(5) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2)
3. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 47).
4. Reorganizing and renumbering of subsections (a)(2)-(10) and (b)(1)-(4) and new subsections (a)(5) and (a)(9) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
5. Amendment filed 7-24-96; effective thirtieth day thereafter (Register 96, No. 30).

2542.4. Approval of Course Instructors.

To be approved by the Board, a course must be taught by one of the following persons:

- (a) A physician and surgeon licensed by the Medical Board of California or the Osteopathic Medical Board of California.
- (b) A nurse licensed by the Board of Registered Nursing who within the previous five years:
 - (1) Has met the requirements for faculty of a Registered Nurse or Vocational Nurse program; or
 - (2) Has had a minimum of six months of experience starting and superimposing intravenous fluids in an "organized health care system," as defined in Section 2860.5(c)(2) of the Code; or
 - (3) Has had experience teaching courses in intravenous therapy.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment of subsections (b)(4) and (b)(5) filed 7-29-76; effective thirtieth day thereafter (Register 76, No. 31).
2. Amendment of subsection (b)(4) filed 10-7-77; effective thirtieth day thereafter (Register 77, No. 41).
3. Amendment of subsection (a) filed 3-3-78; effective thirtieth day thereafter (Register 78, No. 9).
4. Amendment filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
5. Amendment filed 12-29-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 1).
6. Amendment filed 1-14-98; effective thirtieth day thereafter (Register 98, No. 3).

2542.5. Reports to Board.

The instructor in intravenous therapy must submit to the Board a copy of the certificate issued to the licensee, which shall include:

- (1) Course title
- (2) Date of completion
- (3) Licensee's name and license number
- (4) Code number of Board approved courses

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

Article 9. Blood Withdrawal

2544. Blood Withdrawal.

A licensed vocational nurse may withdraw blood from a patient by qualifying in one of the following ways:

- (a) Written verification submitted to the Board by a physician and surgeon that instruction has been given and that competence has been demonstrated in the procedure for withdrawing blood, or
- (b) Satisfactory completion of an approved course in blood withdrawal, or
- (c) Certification submitted by one of the persons specified in Section 2544.3 that the licensee has been instructed in the subject areas specified in Section 2544.2 and that the licensee is knowledgeable in such areas and is competent in the practice of blood withdrawal.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Article 9 (Sections 2544-2544.4), filed 9-2-75; effective thirtieth day thereafter (Register 75, No. 36).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2544.1. Procedure for Course Approval.

- (a) A person or institution applying for approval of a course in blood withdrawal must:
 - (1) Complete an application form supplied by the Board;
 - (2) Submit any required information or forms in duplicate;
- (b) A course of instruction must be approved by the Board before it is offered by the provider.
- (c) A course will not be approved for more than a two-year period.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2544.2. Approval of Courses.

- (a) A course of instruction in blood withdrawal shall be taught by an instructor approved as provided in Section 2544.3 and shall include, but not be limited to, the following:
 - (1) Methods of blood withdrawal;
 - (A) Skin puncture;
 - (B) Venipuncture.
 - (2) Selection of appropriate method;
 - (3) Safety measures;
 - (4) Possible complications;
 - (5) Preparation of withdrawal sites;
 - (6) Psychological preparation of the patient;
 - (7) Universal precautions for infection control;
 - (8) Practice in each method of blood withdrawal shall include at least 3 individually supervised venipunctures on live subjects and at least 3 individually supervised skin punctures on live subjects.
- (b) A course will not be approved for more than a two-year period.
- (c) The above mentioned course shall consist of 3 hours theory and 3 hours clinical practice.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment and new subsection (c) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).
3. Amendment filed 7-24-96; effective thirtieth day thereafter (Register 96, No. 30).

2544.3. Approval of Course Instructors.

To be approved by the Board, a course must be taught by one of the following persons:

- (a) A physician and surgeon licensed by the Medical Board of California or the Osteopathic Medical Board of California;
- (b) A nurse licensed by the Board of Registered Nursing who within the last five years:
 - (1) Has had a minimum of six months of experience including blood withdrawal and/or starting and superimposing intravenous fluids; or
 - (2) Has had experience teaching courses in blood withdrawal and/or intravenous therapy.
- (c) A licensed clinical laboratory technologist who within the last five years:
 - (1) Has had a minimum of six months of experience performing blood withdrawal; or
 - (2) Has had experience teaching courses in blood withdrawal.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

- 1. Amendment of subsection (a) filed 3-3-78; effective thirtieth day thereafter (Register 78, No. 9).
- 2. Amendment of subsection (b) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
- 3. Amendment filed 12-29-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 1).
- 4. Amendment filed 1-14-98; effective thirtieth day thereafter (Register 98, No. 3).

2544.4. Reports to Board.

The instructor in blood withdrawal must submit to the Board a copy of the certificate issued to the licensee, which shall include:

- (1) Course title
- (2) Date of completion
- (3) Licensee's name and license number
- (4) Code number of Board approved courses.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY: 1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

Article 10. Intravenous Therapy/Blood Withdrawal

2547. Definitions.

As used in this Article:

- (a) "Intravenous fluids" means fluid forms of blood, blood products, vitamins, nutrients, electrolytes, and other medications including, but not limited to, anticoagulants and antibiotics. Intravenous fluids are differentiated into two categories:
 - (1) Category I includes blood, blood products, vitamins, nutrients, and electrolytes;
 - (2) Category II includes other medications including, but not limited to, anticoagulants or antibiotics.
- (b) "Superimpose" means to connect a container of intravenous fluid to tubing through which another container of intravenous fluid has just been administered.
- (c) "Primary infusion line" means the line which provides a direct infusion between the container and the peripheral vein.
- (d) "Secondary infusion line" means a line which provides infusion through a lateral access into a primary infusion line.
- (e) "Standardized procedures" means written policies and protocols that:
 - (1) are readily available to medical and nursing staffs;
 - (2) were formulated by a committee that included representatives of the medical, nursing, and

administrative staffs; and

(3) were adopted by the organized health care system.

(f) "Organized health care system" includes, but is not limited to, facilities licensed pursuant to Section 1250 of the Health and Safety Code, clinics, home health agencies, physicians' offices, and public or community health services.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. New article 10 (sections 2547-2547.5) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
2. New subsections (c) and (d) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
3. Amendment of section heading, section and Note filed 1-29-2003; operative 2-28-2003 (Register 2003, No. 5).

2547.1. Intravenous Therapy/Blood Withdrawal.

(a) A licensed vocational nurse may withdraw blood and start and superimpose Category I intravenous fluids via primary or secondary infusion lines when directed by a licensed physician under the following conditions:

(1) The licensed vocational nurse has either:

(A) Satisfactorily completed a course in intravenous therapy and blood withdrawal approved by the Board, as defined in Section 2547.3; or

(B) Submitted certification, satisfactory to the Board, by one of the persons specified in Section 2547.4, that the licensee has been instructed in the subject areas specified in Section 2547.3 and that the licensee has the knowledge, skills and abilities to safely practice venipuncture and blood withdrawal; and

(2) The procedure is performed pursuant to standardized procedures as defined in Section 2547(e).

(b) A licensed vocational nurse may, when directed by a licensed physician, withdraw blood and start and superimpose Category II intravenous fluids in hemodialysis, pheresis or blood bank settings under the following conditions:

(1) All the conditions specified in subsection (a) above have been met.

(2) The licensed vocational nurse has received specialized instruction in the proper procedure from a registered nurse or a licensed physician and demonstrates to a registered nurse or licensed physician the requisite knowledge, skills and abilities to perform the procedure. The method of the specialized instruction and demonstration shall be set forth in the standardized procedures as defined in Section 2547(e).

(3) The physician's order is specific to the individual patient.

(4) The physician's individualized order designates the specific Category II intravenous fluids to be used in hemodialysis, pheresis or blood bank procedures within the particular setting; and

(5) A registered nurse or licensed physician is in the immediate vicinity. The definition of immediate vicinity for each facility shall be set forth in the standardized procedures as defined in Section 2547(e).

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment of subsection (b) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).
2. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 47).
3. Amendment of first paragraph filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
4. Repealer and new section filed 2003; filed 1-29-2003; operative 2-28-2003 (Register 2003, No. 5).

2547.2. Procedure for Course Approval.

(a) A person or institution applying for approval of a course of instruction in intravenous therapy and blood withdrawal must:

(1) Complete an application form supplied by the Board;

(2) Submit any required information or forms in duplicate.

(b) A course of instruction must be approved by the Board before it is offered by the provider.

(c) A course will not be approved for more than a two-year period.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment of subsections (a) and (b) filed 4-22-81; effective thirtieth day thereafter (Register 81, No. 17).

2547.3. Approval of Courses.

(a) A course in intravenous therapy and blood withdrawal shall be taught by an instructor approved as provided in Section 2547.4; shall have a maximum of 15 students for each instructor for clinical experience; shall be at least 36 hours in length, which shall be 27 hours theory and 9 hours clinical experience, including at least 3 individually supervised successful venipunctures and 3 individually supervised skin punctures by each student on live subjects. The theory shall include, but not be limited to, the following:

- (1) The requirements contained in Section 2860.5(b) and (c) of the code necessary for a nurse to start and superimpose intravenous fluids and perform blood withdrawal;
- (2) Psychological preparation of the patient;
- (3) Universal precautions for infection control;
- (4) Intravenous Therapy;
 - (A) Indications for intravenous therapy;
 - (B) Types of venipuncture devices;
 - (C) Types of delivery systems;
 - (D) Types of intravenous fluids;
 - (E) Preparation and immobilization of the venipuncture site;
 - (F) Observation of the patient;
 - (G) Regulation of the fluid flow;
 - (H) Local and systemic reactions;
- (5) Blood Withdrawal;
 - (A) Methods of blood withdrawal:
 - (1) Venipuncture;
 - (2) Skin puncture.
 - (B) Selection of appropriate method;
 - (C) Safety measures;
 - (D) Possible complications;
 - (E) Preparation of withdrawal sites.
- (b) Venipuncture and blood withdrawal clinical experience must include:
 - (1) Preparation of equipment for intravenous therapy and blood withdrawal;
 - (2) Safety factors of intravenous administration;
 - (3) Choice of vein;
 - (4) Choice of device for intravenous therapy and blood withdrawal;
 - (5) Techniques of venipuncture:
 - (A) Direct;
 - (B) Indirect.
 - (6) Skin puncture practice must include instruction in:
 - (A) Preparation of site;
 - (B) Preparation of equipment.
 - (7) Universal precautions for infection control.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 47).
2. Amendment of subsections (a), (a)(2)(A) and (a)(2)(F), new subsections (a)(3), (a)(4)(C) and (a)(4)(G) including renumbering or relettering, and reorganizing and renumbering of subsections (b)(1)-(7) filed 3-24-92; operative 4-23-92 (Register 92, No. 13).
3. Amendment filed 7-24-96; effective thirtieth day thereafter (Register 96, No. 30).

2547.4. Approval of Course Instructors.

To be approved by the Board, a course must be taught by one of the following persons:

(a) A physician and surgeon licensed by the Medical Board of California or the Osteopathic Medical Board of California.

(b) A nurse licensed by the Board of Registered Nursing who within the last five years:

- (1) Has met the requirements for faculty of a Registered Nurse or Vocational Nurse program; or
- (2) Has had a minimum of six months of experience starting and superimposing intravenous fluids in an "organized health care system," as defined in Section 2860.5(c)(2) of the Code; or
- (3) Has had experience teaching courses in intravenous therapy and/or blood withdrawal.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment filed 12-29-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 1).
2. Amendment filed 1-14-98; effective thirtieth day thereafter (Register 98, No. 3).

2547.5. Reports to Board.

The instructor in intravenous therapy and blood withdrawal must submit to the Board a copy of the certificate issued to the licensee, which shall include:

- (1) Course title
- (2) Date of completion
- (3) Licensee's name and license number
- (4) Code number of Board approved courses

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Section 2860.5, Business and Professions Code.

HISTORY:

1. Amendment filed 11-16-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 47).

2555. Curriculum Plan.

HISTORY:

1. Amendment filed 9-4-53; effective thirtieth day thereafter (Register 53, No. 15).
2. Repealer filed 12-17-70; effective thirtieth day thereafter (Register 70, No. 51).

2556. Basic Curriculum.

HISTORY:

1. Repealer filed 12-17-70; effective thirtieth day thereafter (Register 70, No. 51).